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10 Attorneys for Plaintiffs
11 JONATHAN WAYNE BOTTEN, SR.,
12 TANJA DUDEK-BOTTEN, ANNABELLE BOTTEN,
13 AND J.B.
14

15 JONATHAN WAYNE BOTTEN, SR.;
16 TANJA DUDEK-BOTTEN;
17 ANNABELLE BOTTEN; and J.B., a
18 minor, by and through his guardian
19 JONATHAN WAYNE BOTTEN, SR.,

20 Plaintiffs,

21 vs.

22 STATE OF CALIFORNIA; COUNTY
23 OF SAN BERNARDINO; ISAIAH
24 KEE; MICHAEL BLACKWOOD;
25 BERNARDO RUBALCAVA;
26 ROBERT VACCARI; JAKE ADAMS;
27 and DOES 1-10, inclusive,

28 Defendants.

Case No. 5:23-cv-00257-KK-SHK

*Honorable Kenly Kiya Kato
Mag. Judge Shashi H. Kewalramani*

**JOINT REPORT RE:
SETTLEMENT PROCEEDINGS
UNDER COURT-DIRECTED ADR
PROGRAM**

1 **TO THE HONORABLE COURT:**

2 Pursuant to the Court's Civil Trial Scheduling Order, Plaintiffs Jonathan Wayne
3 Botten, Sr., Tanja Dudek-Botten, Annabelle Botten, and J.B., a minor by and through
4 his guardian *ad litem* Jonathan Wayne Botten, Sr. ("Plaintiffs") and Defendants
5 Michael Blackwood, Isaiah Kee, Bernardo Rubalcava ("State Defendants"), County of
6 San Bernardino, Robert Vaccari, and Jake Adams ("County Defendants") (collectively
7 "the Parties"), hereby submit this Joint Report Regarding Settlement Proceedings
8 Under Court-Directed ADR Program.

9 A mediation pursuant to ADR Procedure No. 2 was held on April 3, 2025,
10 before ADR Panel Mediator Richard Copeland. The individual parties, their respective
11 trial counsel, and/or representatives appeared as required by Local Rule 16-15.5(b).

12 Plaintiffs and County Defendants reached a tentative settlement. This settlement
13 is subject to County Board approval. This matter is set for review by the Board of
14 Supervisors at the next available closed session meeting on April 29, 2025.

15 Plaintiffs and State Defendants were unable to reach a settlement. However, the
16 Plaintiffs and State Defendants are open to reopening settlement discussions should
17 circumstances change.

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1 Respectfully submitted,
2 DATED: April 10, 2025

LAW OFFICES OF DALE K. GALIPO

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4 Bv /s/ Hang D. Le
5 Dale K. Galipo
6 Hang D. Le
7 Attorneys for Plaintiffs

8
9 DATED: April 10, 2025

ROB BONTA
Attorney General of California
NORMAND D. MORRISON
Supervising Deputy Attorney General

10
11 /s/ Diana Esquivel
12
13 DIANA ESQUIVEL
14 Deputy Attorney General
15 *Attorneys for Defendants Blackwood, Kee, and*
16 *Rubalcava*

17 DATED: April 10, 2025

LYNBERG & WATKINS

18
19 Bv /s/ Amy R. Margolies
20 Shannon L. Gustafson
21 Amy R. Margolies
22 Attorneys for Defendants
23 COUNTY OF SAN BERNARDINO,
24 ROBERT VACCARI, and JAKE ADAMS

25
26 *The filer, Hang D. Le, hereby attests that all other signatories listed, and on whose
27 behalf the filing is submitted, concur with the filing's content and have authorized the
28 filing.